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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: June 29, 2005 Name: Magdalena O. Cilella, Ph.D. Signature:

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Atsuhiko Shinmyo et al.

Appln. No.: 10/049,710

Filed: September 4, 2002

For: METHOD OF INDUCING GENE
EXPRESSION IN PLANT AND PLANT
TREATED THEREBY

Attorney Docket No: 5404-18

Examiner: Collins, Cynthia E.

Art Unit: 1638

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Amendment And Response.
 Return Receipt Postcard.

Fee calculation:

No additional fee is required.
 An extension fee in an amount of \$____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$____ under 37 C.F.R. § 1.17(____).
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$	Total	\$	

Fee payment:

A check in the amount of \$____ is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

6/29/05

Respectfully submitted,

Magdalena O. Cilella, Ph.D. (Reg. No. 56,619)
Agent for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on June 29, 2005

Date of Deposit

Magdalena O. Cilella, Ph.D., Reg. No. 56,619

Name of applicant, assignee or
Registered Representative

Magdalena Cilella

Signature

6/29/05

Date of Signature



Our Case No. 5404-18

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In re Application of:

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Examiner: Collins, Cynthia E.

Group Art Unit No. 1638

AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is provided with respect to the Office Action mailed March 30, 2005.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Claim Status begins at page 7 of this paper.

Application No.: 10/049,710
Amendment and Response dated June 29, 2005
Reply to Office Action of March 30, 2005

Arguments/Remarks begin on page 8 of this paper.